



Lambda Letters Project

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The Costs of Domestic Partner Benefits

by Boyce Hinman, Chief Lobbyist

An article produced by the National Lesbian and Gay Journalists Association (NLGJA) provides some interesting insight into the subject of employer-provided domestic partner (DP) health benefits. In this article I will highlight some of the main points in the NLGJA article. Anyone with Internet access may see the whole article, "Domestic Partner Benefits Overview," on the NLGJA site by going to www.nlgja.org/pubs/DP/DPovrvw.html.

The article gives interesting evidence on the growing availability of employer-provided DP health insurance. For example, more than 145 (29 percent) of the Fortune 500 companies offer DP benefits. This is more than quadruple the number that offered them in 1997. *Fortune* magazine announced in December 2000 that 47 companies on its annual list of the "100 Best Companies to Work For" provide benefits for same-sex partners.

Sixty of the top 100 U.S. newspapers (by circulation) offered DP benefits as of October 2001. At least 77 media companies and unions offered employees domestic DP benefits, including health insurance, by October 2001. This was up from 10 in 1994 and 26 in

1997. These companies and unions encompassed more than 1,400 newspapers, radio stations, magazines, wire services, and online news providers where DP medical benefits are available.

An estimated 22 percent of U.S. employers offer DP benefits, more than twice the 10 percent that offered the benefits in 1997, according to a November 2000 survey by Hewitt Associates, a global management consulting and employee benefits delivery firm.

The cost of DP benefits has been a large concern of employers who are considering, or who have been asked to offer, DP health insurance to their employees. The concern became greater as the HIV/AIDS epidemic rolled through the LGBT community. Many employers feared they would be insuring many people with AIDS and that the premiums would go through the roof. However the actual costs of DP benefits has been far less than some feared.

Typically fewer than 0.5 percent of employees enroll their same-sex partners. When *both* same-sex and opposite-sex partners are covered, usually fewer than 1 percent of employees sign on. Enrollment num-

Continued on page 13

In This Issue...

Costs of Domestic Partner Benefits	1, 16
LGBT Issue	3
People of Color Issue	3, 16
HIV/AIDS Issue	4
Women's Issue	4, 17
April Legislative Update	5-15

Lambda Letters Progress Report

Messages Collected

February, 2002	3,405 letters & e-mails
In all of 2002	28,092 letters & e-mails

Dollars Spent

February, 2002	\$3,541
In all of 2002	\$6,980

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Lambda Letters Project

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To promote people of color, feminist, lesbian, gay, bisexual, transgender, and HIV/AIDS status advocacy, and to bring people of color, women, lesbians, gays, bisexuals, transgendered and intersex persons, and persons affected by or living with HIV/AIDS into full participation in American society.

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If so, you may register a complaint with the Department of Fair Employment and Housing. In cases of employment discrimination, call the department at (800) 884-1684. In cases of housing discrimination, call (800) 233-3212.

The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

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Protect LGBT Inheritance Rights

by Boyce Hinman, Chief Lobbyist

Today we ask that you write to the members of the Assembly and Revenue and Tax Committee in support of AB 2216, a bill to protect the inheritance of surviving domestic partners when their partners die without a will.

California law determines how a person's property is distributed to the heirs if the person dies without a will. This law is called the Law of Intestate Succession. This law currently states specifically what property the spouse will get if his or her spouse dies without a will. However, current law makes no similar provision for a domestic partner when his or her partner dies without a will. This situation was corrected by AB 25, last year's big domestic partner bill. However, that part of the bill had to be dropped at the last minute to get the bill approved by the legislature and sent to Governor Davis.

AB 2216 is meant to get the job done this year. It describes a person's inheritance rights when his or her domestic partner dies without a will. Many same-sex couples own property as "Joint Tenants with Right of Survivorship." Current law already says this property would automatically go to the surviving domestic partner, even in the absence of a will. So AB 2216 deals only with *separate property* owned only by the person who died. The bill says all of the separate property goes to the domestic partner if the deceased person left no surviving children, parent, brother, sister, or children of a deceased brother or sister. If one or more of these relatives remain alive the domestic partner gets from one-third to one-half of the property owned separately by the partner who died. How much

Eliminate Asset Limits in Medi-Cal

Low-Income Families Should Save Without Facing Medical Bankruptcy

by Marty Martinez

SB 1567, sponsored by Senator Wesley Chesbro (D-Arcata), would eliminate the asset test in the Medi-Cal application process to determine eligibility. This costly policy unfairly penalizes low-income families from saving the money they need to lift themselves out of poverty. Current policy in 36 states, permitted under federal law, places severe limits on the amount of assets that adults in a family may have and still qualify for Medicaid coverage. In 33 states the limit is under \$3,150. This policy is a vestige from the time that Medicaid coverage was linked to welfare; however while Congress broke the link between Medicaid and welfare in 1996, most states have not since acted to remove asset limits for Medicaid eligibility.

Low-income people who choose to accumulate assets and, as a result, lose Medicaid coverage, face a "Catch 22." Low-income people who are ineligible for Medicaid coverage because they choose to save even a little money may find themselves deeply in debt, or even

Continued on page 16

he or she gets depends on how many and which other family members survive.

You may think it unfair that other relatives get some of the property. However, under AB 2216, exactly the same rules apply to a spouse. If there are other surviving family members a spouse might get only one-third to one-half of the property owned separately by the person who died. And when you think about it, it makes sense. The deceased did not leave a will. He or she might have wanted to leave something to a favorite sister or to his or her parents.

The bottom line is that AB 2216 gives domestic partners the same rights to inheritance of separately owned property as are now available to spouses. We hope you will write to the Assembly Revenue and Tax Committee and let them know they should support this bill.

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Help Reduce Cost of Medications

by Boyce Hinman, Chief Lobbyist

This month we ask that you write to your member of the Senate in support of SB 1315. The author, Senator Byron D. Sher (D-Stanford), expects the bill to be approved by its Senate policy committee and by the Senate Appropriations Committee. So he is asking us to write now to the full Senate to assure its passage on the floor of that house.

SB 1315 would reduce prescription drug costs by establishing a multi-agency prescription drug buying pool for the state and county governments. By buying in bulk, the central purchaser may be able to lower the per-unit cost of the drugs. The central purchaser could buy drugs for other state or county government agencies unless those agencies can get the drugs cheaper on their own.

The California State Auditor has found that expenditures for drugs by the five state agencies that purchase the largest quantities of prescription medications has increased on average 34 percent from \$41.6 million in FY 1996-97 to \$135.1 million in FY 2000-01. Probably if these drugs had been bought by a central purchasing agency the sheer volume of the purchases being made would have allowed the purchaser to bargain the prices down.

The following state agencies purchase drugs separately for the populations they serve: California Department of Mental Health, California Department of Corrections, California Public Employees Retirement System, State Teachers Retirement System, California State University, and University of California. Consider the huge volume of drugs that would be purchased by a central agency purchasing medications for all of them. Consider, too, that the buying pool would be even larger if many of the various county health programs joined the buying pool. Such a purchaser of medications would have huge power to bargain down the price of those medications.

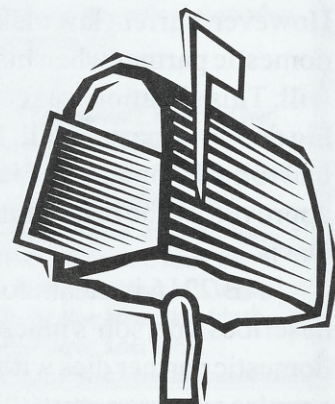
The current fiscal condition of the state and many local governments makes such a program even more important. Many fiscal experts predict that state government is facing a \$12.5 billion shortfall. State government desperately needs to cut its expenditures. Many

Help Children, Families Escape Poverty

by Boyce Hinman, Chief Lobbyist

Please write to the members of the Senate Appropriations Committee in support of SB 1264. The author, Senator Dede Alpert (D-San Diego), expects this bill to be approved by its Senate policy committee. However, because of the state's looming budget deficit, it might be difficult to get the bill out of the Senate Appropriations Committee. It is important that we get as many letters of support to that committee as possible to persuade them to do the right thing.

SB 1264 makes certain important changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) program. The fundamental purpose of these changes is to help poor Californians escape from poverty. CalWORKs is a program that provides cash assistance to certain poor families with children. The purpose of the program is to promote economic security and the well-being of the children while assisting families in becoming self-



Continued on page 17

are suggesting cutting even essential services. Creating a central prescription drug purchasing agency for state and local governments could probably save millions of dollars without cutting essential services.

Many state and county programs that provide health and social services to people with HIV/AIDS, poor single mothers, and others are struggling to find the resources to serve their client populations. The cost savings that could result from SB 1315 could free up huge amounts of money to provide essential services to more of the people in need.

Please write to your senator and urge a Yes vote on SB 1315.

April Legislative Update

There is one significant state legislative deadline in April. Any bill that will have an effect on the state budget (either through cost savings or new expenses to the state) must be approved by its policy committee no later than April 26. Policy committees are committees that review a bill to determine if it makes sense from a policy point of view. For example, the Assembly Education Committee is a policy committee that would review a bill that affects California Public Schools.

HIV/AIDS Issues

AB 925 (Dion Aroner, D—Berkeley)

Purpose: To make several changes to the laws surrounding the California Working Disabled Program (CWD). Among other changes, it would allow working disabled people to earn up to 450 percent of the federal poverty level to buy into Medi-Cal health insurance.

Status: Has passed the Assembly and all necessary Senate committees. Is awaiting a final vote on the Senate floor while the author seeks the governor's support of the bill.

LLP Position: Support.



Dion Aroner

AB 1423 (Helen Thomson, D—Davis)

Purpose: To include licensed marriage and family therapist services, and clinical social worker services, within the scope of Medi-Cal—covered benefits to the extent that federal matching funds are available, including home- and community-based services approved by the Department of Health and Human Services, for beneficiaries with a diagnosis of AIDS (or ARC) who require intermediate care or a higher-level of care.

Status: Approved by the Assembly and sent to the Senate Health and Human Services Committee. The author has not decided yet whether to pursue the bill. If she does it will not come up for a vote in committee until May or June.

LLP Position: Support.



Helen Thomson

AB 1763 (Keith Richman, R—Granada Hills)

Purpose: To allow the governor to declare a health state of emergency under certain circumstances, including those resulting from a terrorist attack. Specifically states that "public health emergency" does not include an occurrence or imminent threat of human immunodeficiency virus (HIV). Would establish agencies and procedures for dealing with potential health emergencies, for their declaration and termination.

Status: Referred to the Assembly Health and Assembly Governmental Organization Committees. Will be heard in Assembly Health first, probably in mid- to late-March.

LLP Position: Neutral as long as it states that HIV will not cause the governor to declare a state of emergency.



Keith Richman

AB 1853 (Paul Koretz, D—West Hollywood)

Purpose: To require insurance companies to provide more adequate payment to doctors who treat people with HIV/AIDS.

Status: Introduced. Referred to the Assembly Health Committee. No hearing date set yet.

LLP Position: Support.

AB 1996 (Helen Thomson, D—Vacaville)

Purpose: To require every healthcare service plan that provides prescription drug benefits to provide coverage for all medically necessary outpatient prescription drugs. The bill would allow healthcare service plans that provide medically necessary outpatient prescription drugs to require prior authorization and to establish formularies or preferred drug lists.

Status: Referred to Assembly Health Committee. No hearing date set yet.

LLP Position: Support.

AB 2064 (Gil Cedillo, D—Los Angeles)

Purpose: To require the State Department of Health Services to authorize the establishment of training programs for counselors for publicly funded HIV testing programs by specified community-based, nonprofit organizations. The bill would require the department to establish uniform curriculum guidelines for these training programs and to review and certify the curriculum content and design for each program.

Continued on page 6

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Legislative Update

Continued from page 5

Status: Referred to Assembly Health Committee. No hearing date set yet.

LLP Position: Support.

AB 2197 (Paul Koretz, D–West Hollywood)

Purpose: To require the state to establish a program to provide Medi-Cal health insurance to people who are HIV-positive and who qualify for Medi-Cal, except that they are not disabled.

Status: Referred to Assembly Health Committee. No hearing date set yet.

LLP Position: Support.

AB 2768 (John Longville, D–San Bernardino)

Purpose: To require each pupil to receive AIDS prevention instruction for at least four hours in junior high or middle school and four hours in high school.

Status: Referred to Assembly Education Committee. No hearing date set yet.

LLP Position: Support.

SB 187 (John Vasconcellos, D–Santa Clara)

Purpose: To require the State Department of Health to establish and maintain a voluntary program for the issuance of registry identification cards to qualified medical marijuana patients, and to establish procedures under which a patient with the card could use marijuana for medical purposes. *Note:* A recent U.S. Supreme Court decision stated that, in spite of Proposition 215, a person may be prosecuted under federal law for possession of marijuana. The court said medical necessity does not justify possession. So signing up for a marijuana registry card may be signing a confession to violation of federal law.

Status: Left on the Senate floor while Senator Vasconcellos seeks to persuade the governor to sign it.

LLP Position: Oppose.

SB 492 (Richard Polanco, D–Los Angeles)

Purpose: To require the Department of Health Services to request federal waivers so that foreign medical graduates now in the U.S. serving certain designated "health shortage areas" can remain here in the U.S. The waivers would focus on physicians who serve Medi-



*John
Vasconcellos*

care, Medi-Cal, low-income, and uninsured clients. It would ensure that foreign medical graduates who are serving patients with HIV or AIDS can remain here in the United States. Some of them, under their current visas, must soon return to their native country for two years.

Status: Has passed the Senate and all necessary Assembly committees. Is currently in the Assembly inactive file.

LLP Position: Support.

SB 599 (Wesley Chesbro, D–Arcata)

Purpose: To require health plans to cover medically necessary substance-related disorders in the same way that plans cover any other medical condition. The only limit that may be placed on the coverage is a 60-day annual limit on non-hospital residential care. The bill would also require health plans to offer coverage for the treatment of alcoholism.



Wesley Chesbro

Status: Passed the Senate and all necessary Assembly Committees. Is in the Assembly Inactive file pending the author's decision on what to do with it. It's strongly opposed by the insurance industry. The author plans to move the bill in 2002, although he would not have to move it until the end of the year. A deal may be cut to mandate only the substance-abuse related benefits covered by CalPERS, the healthcare program for state workers. That program has some limits.

LLP Position: Support.

SB 1315 (Byron Sher, D–Stanford)

Purpose: To reduce prescription drug costs by establishing a multi-agency prescription drug buying pool in state and county governments. By buying in bulk, the

Deborah A. Brooks

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Legislative Update

Continued from page 7

central purchaser may be able to lower the per-unit cost of the drugs. The central purchaser could buy drugs for other state or county government agencies unless those agencies can get the drugs cheaper.

Status: Assigned to the Senate Health and Human Services Committee for a hearing on March 20.

LLP Position: Support.

SB 1414 (Jackie Speier, D-San Mateo)

Purpose: To establish the Healthy Californians Program to provide healthcare and health coverage to all citizens and legal immigrants without access to affordable employer-based coverage. The state would be required to apply for federal money to supplement state funds dedicated to the program.

Status: Referred to the Senate Insurance Committee for a hearing on April 16.

LLP Position: Support.



Jackie Speier

SB 1734 (John Vasconcellos, D-San Jose)

Purpose: Current law protects public entities, their agents, or employees from prosecution for distribution of hypodermic needles or syringes to participants in clean needle and syringe exchange projects authorized by the public entity pursuant to a declaration of a local emergency due to the existence of a critical local public health crisis. This bill would also protect them from prosecution for distributing materials to sanitize drug paraphernalia distributed to participants in clean needle and syringe exchange projects.

Status: Introduced. Not assigned to a committee yet. May be merged into another bill.

LLP Position: Support.

AB 1785 (John Vasconcellos, D-San Jose)

Purpose: To remove the requirement that people have a prescription to buy a hypodermic needle and syringe. Also would eliminate the requirement that a pharmacist keep records of who buys them. The bill would allow a person to possess up to 30 hypodermic needles and syringes if purchased through an authorized source.

Status: Referred to Senate Health and Human Services Committee for a hearing on April 3.

LLP Position: Support

Lesbian/Gay/Bisexual/Transgender Issues

AB 1649 (Jackie Goldberg, D-Los Angeles)

Purpose: To amend California's Fair Employment and Housing Act to ban employment and housing discrimination against transgendered people.

Status: Approved by the Assembly and the Senate Judiciary Committee. The bill may be taken up again this year. If so, it will start where it left off last year. Its first committee would be the Senate Appropriations Committee. The bill was dropped last year by the author at the request of the governor. He promised Goldberg that he'd fulfill most of the bill's purpose through new procedures at the Department of Fair Employment and Housing. The department has created new procedures. They are awaiting final approval from the governor.

LLP Position: Support. We are cosponsors of the bill.



Jackie Goldberg

AB 1885 (Carol Liu, D-Pasadena)

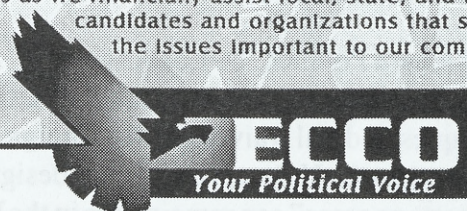
Purpose: To allow for a tax credit on the premium for

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continuing group health insurance if a person loses employer-provided group health insurance as a result of being laid off or being given reduced work hours by the employer. The tax credit would cover the premium for the insured and his or her spouse, domestic partner, and dependent children.

Status: Referred to the Assembly Revenue and Tax Committee. No hearing date set yet.

LLP Position: Support.

AB 1908 (Rebecca Cohn, D–Campbell)

Purpose: To allow employer-paid, long-term care insurance to state employees and retirees enrolled in the public employee retirement system. Would also allow this insurance for their spouses, parents, and spouses' parents. Would allow employer-paid, long-term care insurance to employees and retirees of certain local governments and to their spouses and parents.

Status: Probably will be assigned to the Public Employees, Retirement, and Social Security Committee for a hearing on April 3.

LLP Position: Support if domestic partners and the parents of domestic partners are added to the bill. The author, thus far, refuses to add domestic partners.

AB 1942 (Judy Chu, D–Monterey Park)

Purpose: To establish a pilot anti-bias training program in the Los Angeles area. The project would focus on minors in custody or on probation, probation officers, correction officers, teachers, youth service providers, social workers, parents, and community members. The goal of the program would be to reduce hate crimes.

Status: Not referred to a committee yet.

LLP Position: Support.

AB 2131 (Bill Leonard, R–Rancho Cucamonga)

Purpose: To provide that an adult or married child or former spouse of an employee or annuitant of the state, or a contracting agency, may continue his or her employer-provided healthcare benefits coverage for life if the employee or annuitant developed a blood-borne infectious disease while employed at a state correctional facility or city or county jail facility and the child or former spouse contracted that disease from that employee or annuitant.



Judy Chu

Status: Referred to the Assembly Public Employees, Retirement and Social Security Committee. No hearing date set yet.

LLP Position: Support if former domestic partners added to the bill.

AB 2216 (Fred Keeley, D–Santa Cruz)

Purpose: Under the existing law of intestate succession, the surviving spouse is entitled to a specified share of the decedent's separate property that is not effectively disposed of by will. This bill would extend this entitlement to a decedent's domestic partner.

Status: Referred to the Assembly Judiciary Committee. No hearing date set yet.

LLP Position: Support.

AB 2484 (Hannah-Beth Jackson, D–Santa Barbara)

Purpose: To prevent and reduce school violence by requiring school districts to provide instruction and materials on the prevention of school terrorism through recognition and reporting prior to the occurrence of the violence.

Status: Referred to the Assembly Education Committee, for hearing tentatively set for April 3.

LLP Position: Support.

AB 2777 (Joe Nation, D–San Rafael)

Purpose: To allow Santa Barbara County to offer death benefits, optional retirement allowances, or survivor's allowances to the domestic partners of county employees and retirees.

Status: Referred to the Assembly Public Employees, Retirement and Social Security Committee. No hearing date set yet.

LLP Position: Support.



Joe Nation

SB 1280 (Ray Haynes, R–Riverside)

Purpose: To allow churches and religious organizations to receive state and local government funds to carry out public social services. Includes safeguards against use of the funds to promote religion. Unfortunately those safeguards may not be sufficient. The funds may enhance some churches' ability to oppose gay rights and a woman's right to choose.

Status: Assigned to Senate Health and Human Ser-

Continued on page 10

Legislative Update

Continued from page 9

vices Committee for a hearing on April 10.

LLP Position: Oppose.

People of Color Issues

AB 5 (Thomas Calderon, D-Montebello)

Purpose: To prohibit an insurer from refusing to issue or renew insurance on a private passenger car, or other property, solely on the basis of a consumer credit report.

Status: Approved by the Assembly and sent to the Senate Insurance Committee. The author plans to move the bill, but it may not be heard in committee until May or June.

LLP Position: Support.

AB 14 (Jackie Goldberg, D-Los Angeles)

Purpose: To state the intent of the Legislature to examine the state school facilities program to ensure



Thomas Calderon

that allocation formulas reflect the current and future needs for public kindergarten to 12th grade and to examine and assess the needs of the higher educational system, including funding distributions.

Status: Approved by the Assembly and Senate.

Assembly refused to concur with changes made in the Senate. Is in a two-house conference committee.

LLP Position: Neutral.

AB 32 (Keith Richman, R-Chatsworth)

Purpose: To create the Cal-Health program, which would provide coordination of the Healthy Families and Medi-Cal programs. The bill would authorize providers to screen and temporarily enroll individuals in Medi-Cal and the Healthy Families Program at the time the person is provided with medical care, and would require full reimbursement of the provider for services covered under those programs. The bill would require licensed hospitals, clinics, and other health facilities to inform individuals about Cal-Health and, in the case of urgent or emergency services, the bill would require that individuals be informed about the program and given an opportunity to apply after services have been

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rendered. The bill would expand eligibility under the Medi-Cal program to adults with family incomes at or below 250 percent of the federal poverty level, and would require the state to apply to the federal government for waivers to allow federal funds to be used in that regard.

Status: Held in the Senate Appropriations Committee. No word yet on the author's plans for the bill.

LLP Position: Support.

AB 42 (Howard Wayne, D-San Diego)

Purpose: To establish a state-funded colorectal cancer screening program to be provided to uninsured or underinsured persons over 50 and with incomes at or below 200 percent of the federal poverty level.

Status: Held in the Senate Inactive file. Author will move the bill once he has enough votes to approve the bill

LLP Position: Support.



Howard Wayne

AB 1743 (John Campbell, R-Irvine)

Purpose: To authorize tax credits for the startup costs of employee pension programs offered by small employers. Would increase the annual amount that can be contributed to Educational Individual Retirement Accounts from the current limit of \$500 to a new limit of \$2,000 per year. These features could benefit the many minorities and women working for small employers.

Status: Referred to the Assembly Revenue and Tax Committee for a hearing on February 19. The bill was held in committee while committee members review recent amendments to the bill. New hearing date not set yet.

LLP Position: Support.

AB 1749 (John Longville, D-San Bernardino)

Purpose: To require the governor to proclaim the third Saturday in June each year as "Juneteenth National Freedom Day: A Day of Observance" and to urge the people of California to join in celebrating this day to honor and reflect on the significant role that African Americans have played in the history of the United States and how they have enriched society through their steadfast commitment to promoting brotherhood and equality.

Status: Referred to the Assembly Governmental Organization Committee. No hearing date set yet.

LLP Position: Support.

AB 1751 (Elaine Alquist, D-Santa Clara)

Purpose: To require high schools to offer courses of study relating to the economics of higher education and instruction on completing forms relating to student financial aid.

Status: Referred to the Assembly Education Committee for a hearing on March 20.

LLP Position: Support.



Elaine Alquist

AB 1788 (Sarah Reyes, D-Fresno)

Purpose: The purpose of this bill has been changed to one that bears no relation to our issue areas. It will be removed from our next revision of the list.

Status: Referred to the Assembly Higher Education Committee for a hearing on April 2.

LLP Position: Neutral.



Sarah Reyes

AB 1806 (Keith Richman, R-Granada Hills)

Purpose: To require the state to increase participation in Medi-Cal by maximizing to the fullest extent possible the amount of income and resources that medically needy individuals are allowed to retain for purposes of Medi-Cal eligibility. The bill would specify that its provisions would be implemented only to the extent that federal financial participation is available.

Status: Referred to Assembly Health Committee. No hearing date set yet.

LLP Position: Support.

Continued on page 12

Legislative Update

Continued from page 11

AB 1807 (Keith Richman, R—Granada Hills)

Purpose: To require the department to develop a form for the temporary qualification and accelerated enrollment of a child in the Healthy Families Program and the Medi-Cal program. The bill would require that a healthcare provider, as defined, be reimbursed for services, and a pharmacy be reimbursed for prescribed drugs, provided to a temporarily qualified child under these provisions to the same extent and in the same manner as a healthcare provider or pharmacy providing services to a child who is fully enrolled and eligible for benefits under the Healthy Families Program or the Medi-Cal program.

Status: Referred to Assembly Health Committee. No hearing date set yet.

LLP Position: Support.

AB 1891 (Manny Diaz, D—San Jose)

Purpose: To require the Department of Housing and Community Development to establish a program to make matching grants, from money appropriated by the Legislature, to local agencies that have housing trust funds, to provide financing for affordable housing to be occupied primarily by low- and very-low-income persons and families. The bill would become operative only if the Housing Bond Act of 2002, as proposed by Senate Bill 1227, is enacted by the voters.

Status: Referred to Assembly Committee on Housing and Community Development for a hearing on April 10.

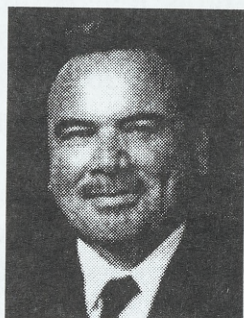
LLP Position: Support.

AB 2115 (Jackie Goldberg, D—Los Angeles)

Purpose: To prohibit public schools, colleges, and the state university from using any school or athletic team name, mascot, or nickname that is derogatory or discriminatory against any race, ethnicity, nationality, or tribal group.

Status: Double referred to the Assembly Committees on Higher Education and on Education. Will be heard in Higher Ed for a hearing on April 2.

LLP Position: Support.



Manny Diaz

AB 2165 (Virginia Strom Martin, D—Santa Rosa)

Purpose: To reduce the shortage of qualified pharmacists in California, particularly in inner-city and rural areas, by allowing pharmacists from other states, who have passed nationally recognized licensing exams, to qualify to work in California.

Status: Referred to the Assembly Business and Profession Committee for a hearing on April 9.

LLP Position: Support.



Virginia Strom-Martin

SB 183 (John Burton, D—San Francisco)

Purpose: To create a security deposit guarantee program that requires local governments to award security deposit guarantee certificates to qualified households to guarantee the payment of damages on a security deposit required by a landlord. The bill would assist lower-income tenants who are unable to pay the security deposit plus first month's rent.

Status: Approved by the Senate and the Assembly policy committee. Currently in the Assembly Appropriations Committee. No hearing date set yet. Funding of the bill may be dependent on passage of a bond measure this coming fall.

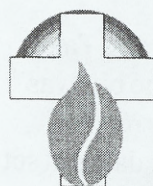
LLP Position: Support.



John Burton

SB 1264 (Dede Alpert, D—San Diego)

Purpose: Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families. Certain types of payments received by recipi-



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ents of aid under the CalWORKs program are prohibited from being treated as income or resources of the family and from being deducted from the amount of aid to which the family would otherwise be entitled.

This bill says that any award or scholarship provided by a public or private entity to, or on behalf of, a dependent child based on the child's academic or extracurricular achievement or participation in a scholastic, educational, or extracurricular competition may not be treated as income or resources of the family for purposes of determining eligibility under the CalWORKs program.

Status: Referred to the Senate Health and Human Services Committee for a hearing on March 20.

LLP Position: Support.

Women's Issues

AB 130 (Tony Cardenas, D-Sylmar)

Purpose: To expand and reorganize a state-funded family-planning program to make it a comprehensive preventive and health screening program for low-income women under 65. Would provide funding for family-planning services, but specifically excludes funding for abortion-related services or advice. Current law already prohibits spending for abortions and this law leaves that provision unchanged.

Status: Approved by the Assembly and sent to the Senate Health and Human Services Committee. Author has not decided whether to move the bill. Even if she does the bill would probably not be voted on in committee until May or June.

LLP Position: Support with reservations about the abortion issue.



Tony Cardenas

AB 1860 (Carole Migden, D-San Francisco)

Purpose: To provide a female victim of sexual assault with counseling regarding the risk of pregnancy and the options for postcoital contraception. Emergency contraception shall be dispensed upon the request of the victim.

Status: Approved by Assembly Public Safety Committee and sent to the Assembly Appropriations



Carole Migden

Committee. No hearing date set yet.

LLP Position: Support.

AB 1896 (Carol Liu, D-Pasadena)

Purpose: To require a healthcare service plan and a disability insurer to provide coverage for a CA-125 blood test, a transvaginal sonogram, and a rectovaginal pelvic examination for a woman considered at risk for ovarian cancer.

Status: Referred to Assembly Health Committee. No hearing date set yet.

LLP Position: Support.

AB 1909 (Rebecca Cohn, D-Campbell)

Purpose: To require—subject to adequate, discretionary funding from a city or county—that the superior courts in San Diego County, in Santa Clara County, and in any other county willing to participate, develop a demonstration project to identify the best practices that will allow judges in civil and criminal cases involving domestic violence to access the most current information possible regarding acts of domestic violence involving an individual and any action taken by the courts in this regard. The bill would require superior courts participating in this demonstration project to report their findings and recommendations to the Judicial Council and the Legislature.

Status: Referred to the Assembly Judiciary Committee. No hearing date set yet.

LLP Position: Support.



Rebecca Cohn

AB 1915 (Alan Lowenthal, D-Long Beach)

Purpose: To require the Department of Motor Vehicles to provide a new set of license plates to a registered owner of a vehicle who appears in person and submits a completed application and also presents to the DMV the previously issued plates, proof of identity and vehicle ownership, and either evidence of victimization by a domestic abuser or evidence of efforts to get assistance in regard to the domestic abuse, as specified.

Status: Referred to the Assembly Transportation Committee for a hearing on April 1.

LLP Position: Support.

Continued on page 14

Legislative Update

Continued from page 13

AB 2030 (Jackie Goldberg, D-Los Angeles)

Purpose: To require courts to waive the fee for serving a protective order, restraining order, or injunction if that order or injunction is based upon specified acts or threats.

Status: Referred to the Assembly Judiciary Committee. No hearing date set yet.

LLP Position: Support.

AB 2248 (Jay La Suer, R-La Mesa)

Purpose: To provide for the issue of special "choose life" license plates. The proceeds of the plates would go to nonprofit agencies that provide support and counseling for pregnant women. The counseling must not include termination of the pregnancy as an option.

Status: Referred to Assembly Transportation Committee. No hearing date set yet.

LLP Position: Oppose.

AB 2537 (Jay La Suer, R-La Mesa)

Purpose: To require an ultrasound to be performed on a woman seeking an abortion within 24 hours prior to the abortion procedure, and to require the ultrasound to be shown to the woman prior to commencing the abortion procedure.

Status: Probably will be referred to the Assembly Health Committee. No hearing date set yet.

LLP Position: Oppose.

SB 224 (Jackie Speier, D-San Mateo)

Purpose: To require the department of Health Services to submit a state plan amendment to the federal Health Care Financing Administration adopting the optional "categorically needy" eligibility group described in the federal Breast and Cervical Cancer Prevention and Treatment Act of 2000, thereby providing breast and cervical cancer treatment under the Medi-Cal program, subject to federal financial participation. The optional "categorically needy" described in the federal bill are low-income people being given cancer treatment, paid for by the state, but whose circumstances do not allow the state to request matching federal funds to help cover the cost of the treatment. Most of what the bill wanted was accomplished through the budget bill last year.

Status: Currently in the Assembly Appropriations Committee. Author is letting the bill sit. She may

reactivate it if any fine-tuning of what was enacted last year is needed.

LLP Position: Support.

SB 390 (Martha Escutia, D-Norwalk)

Purpose: To require the State Department of Education to develop a state master plan for childcare and development in consultation and collaboration with an oversight taskforce.

Status: Referred to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Support.



Martha Escutia

SB 564 (Jackie Speier, D-San Mateo)

Purpose: To require applicants for licensure as a psychologist; marriage, family, and child counselor; or social worker who began graduate study on or after January 1, 2004, to complete a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies. Those who were licensed earlier than that date would be required to take continuing education courses in the above subjects.

Status: Passed the Senate. Double-referred to the Assembly Business and Professions Committee and the Assembly Health Committee. Will be heard first in the Business and Professions Committee. No hearing date set yet.

LLP Position: Support.

SB 622 (Deborah Ortiz, D-Sacramento)

Purpose: To allow the Women, Infants, and Children (WIC) supplemental nutrition branch of the State Department of Health Services to issue grants to local entities to provide certain dental services and information.

Status: Approved by the Senate and sent to the Assembly Human Services Committee for a hearing on June 26. Hearing cancelled at author's request. The author has not decided whether to move the bill. The state's budget woes are a problem.

LLP Position: Support.



Liz Figueroa

SB 993 (Liz Figueroa, D-Fremont)

Purpose: To increase the amount of money paid by the state to childcare centers for the cost of caring for low-income children.

Status: Currently in the Assembly Human Services Committee. It has been stopped by the state's budget problems. The bill may be rewritten to serve another purpose of use to women.

LLP Position: Neutral pending word of the bill's new purpose.

SB 1291 (Ray Haynes, R-Riverside)

Purpose: To require the state to issue special auto license plates that say "Choose Life." All proceeds from the license plates would go to non-governmental agencies that provide counseling and other services that meet the needs of pregnant women who are committed to placing their newborn children for adoption. Funds could not go to any agency that is associated with abortion activities, counseling for or referrals to abortion clinics, providing procedures related to medical abortions, or pro-abortion advertising.

Status: Referred to Senate Transportation Committee. No hearing date set yet.

LLP Position: Oppose.

SB 1301 (Sheila Kuehl, D-Los Angeles)

Purpose: Current law states that prior to the performance of an abortion, a medical committee must determine that continuation of the pregnancy would impair the physical or mental health of the mother, or that the pregnancy resulted from rape or incest. This law instead states that every person has the right to (a) choose or refuse birth control and (b) to choose to bear a child or obtain an abortion. The bill says the state shall not deny a woman's right to obtain an abortion unless the procedure is to be performed or assisted by one not properly licensed by the state or unless the attending physician thinks the baby could live outside the uterus and the doctor believes the abortion is not needed to protect the life and health of the mother.



Sheila Kuehl

Status: Referred to Senate Judiciary Committee. No hearing date set yet.

LLP Position: Support.

SB 1320 (Sheila Kuehl, D-Los Angeles)

Purpose: To revise and strengthen the definition of the crime of stalking.

Status: Referred to the Senate Public Safety Committee for a hearing on April 9.

LLP Position: Support.

SB 1365 (Jackie Speier, D-San Mateo)

Purpose: Current law allows taxpayers, until January 2003, to include an extra payment with their state income tax return and to designate that extra money to be used to support breast cancer research. This bill would extend the program until January 2008.

Status: Referred to the Senate Committee on Revenue and Tax for a hearing on April 10.

LLP Position: Support.

SB 1399 (Gloria Romero, D-Monterey Park)

Purpose: To send people to jail for up to one year or fine them up to \$2,000, or both, if they fail to pay court-ordered spousal support.

Status: Referred to the Senate Public Safety Committee for a hearing on April 9.

LLP Position: Support.

SB 1618 (Sheila Kuehl, D-Los Angeles)

Purpose: To raise the marriage license application fee from \$23 to \$33. The \$10 increase would fund domestic violence shelters, \$6 of which would target the creation of domestic violence shelters in underserved areas and populations.

Status: Referred to Senate Judiciary Committee. No

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Costs of Domestic Partner Benefits

Continued from page 1

bers are low for several reasons. In our society, in which prejudice still exists, some gay and lesbian workers are afraid to be identified as such.

In addition, DP health benefits are not "free" to employees, as they are for married workers. The Internal Revenue Service considers company payments for DP benefits to be taxable income, so employees must calculate whether the taxes they would pay for DP benefits are more costly than buying health insurance themselves. Many domestic partners are already covered by health insurance through their own workplaces. As a result, the only workers who enroll partners for DP benefits are those who aren't already covered by their workplace, so they really need the coverage.

A KPMG Peat Marwick report shows that health insurance premiums for domestic partners were cheaper or no more expensive than premiums for spouses. Early fears that the costs of AIDS care for domestic partners would increase premiums have proved unfounded.

DP benefits usually comprise less than 1 percent and rarely more than 2 percent of an employer's total healthcare benefits costs even if both same-sex and opposite-sex partners are covered, according to a 2000 report by the Institute for Gay and Lesbian Strategic Studies, called "Calculating Costs with Credibility: Health Care Benefits for Domestic Partners." (Check it out at www.iglss.org.)

At the University of California, extending DP benefits in 1997 to same-sex partners cost far less than predicted. A total of 701 employees and retirees enrolled their partners for medical and dental coverage, representing 0.5 percent of 130,000 current and retired employees in the health plan. The policy added about \$1 million (0.2 percent) to the university's annual \$442 million health insurance budget.

In summary, access to employer-provided domestic partner health insurance is rising rapidly and there is ample evidence that the employer's costs of such benefits are well within reason.

People of Color Issue

Continued from page 3

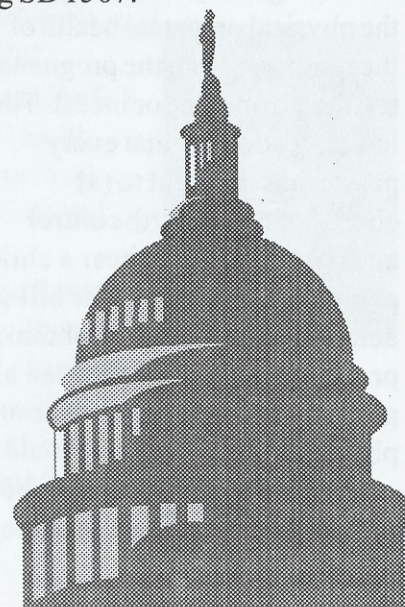
bankrupt, if they are faced with a medical crisis. The majority of personal bankruptcies are related to medical problems.

The private sector is not providing health coverage for low-wage workers; 65 percent of low-wage firms do not offer coverage to their employees. Seventy percent of people who lack health insurance are in working families. As a result, low-wage workers are forced to rely on government-subsidized programs, like Medicaid, to obtain health coverage.

Medi-Cal asset tests are a major barrier to healthcare for low-income people who want to save money and improve their lives. Americans work to accumulate assets by saving money in checking and savings accounts, investing money in stock and bond markets, or by making major investments in such things as homes and cars. These assets meet basic needs (housing, transportation), insure Americans in times when their incomes are limited, and help them save money for larger investments, such as college education for their children.

States that eliminated the asset test from both their traditional Medicaid programs and their healthcare expansion programs usually achieved administrative savings. These states simplified the application process and streamlined their public health coverage programs. These steps achieve administrative savings, break the perceptual link between public health coverage and welfare programs, and treat low and low-moderate income adults equitably.

Please sign and mail the enclosed letter to your state senator supporting SB 1567.



Women's Issue

Continued from page 4

sufficient. The problem is that a number of current rules for this program work against the program's goals.

For example, CalWORKs-dependent children are currently penalized if they win an award for superior achievement in competitive academic, scholastic, or educational events such as speech or essay contests. The money is treated as *unearned income* and is counted in the month received, resulting in a dollar-for-dollar reduction in the family's public assistance grant—\$100 won by a child in an essay contest reduces the family's aid by \$100.

These awards for achievement can provide positive reinforcement for young people, which enables them to get better grades. Good scholastic achievement will help the child escape poverty. SB 1264 would allow CalWORKs children to retain the income from competitive educational awards.

Here is another problem. The intention of current law is that CalWORKs children should graduate from high school. However, the law terminates eligibility for cash assistance on the child's 18th birthday. Sometimes kids are 19 before they graduate.

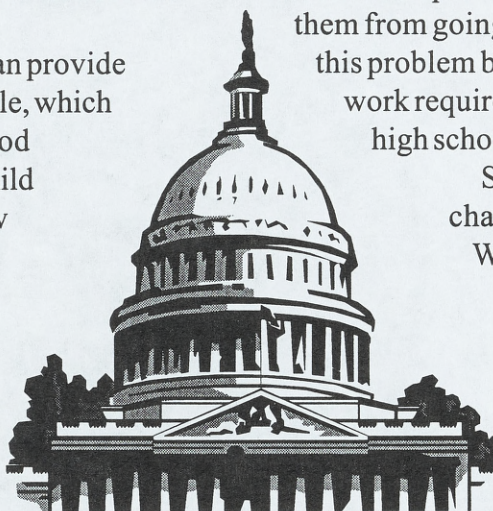
Eligibility can continue to the 19th birthday if the person is still in high school and the necessary paperwork is submitted to the program. But the process is complicated. Many children under age 19 are being dropped from assistance because they were unable to get the right papers submitted to the right place on time. SB 1264 solves this problem by allowing the kids to continue receiving assistance until age 19 unless they drop out of school before graduation.

Some children have learning disabilities, or other health problems, that cause them to take longer to graduate from high school. These kids often lose their assistance at age 18. Yet many school districts allow them to stay in school until age 21, if necessary, to graduate. SB 1264 would allow these students to

continue receiving cash assistance until age 21. This would provide them a big lift in life by giving them more time to get their high school diploma.

On the other hand, some particularly gifted children graduate from high school by age 16 or 17. Generally these children must work a minimum of 32 hours per week or they lose their cash assistance. Getting some college under their belts would do much to help these youth escape poverty. But in most cases the 32-hour-per-week work requirement prevents them from going to college. SB 1264 would solve this problem by exempting teens under 18 from the work requirement if they have graduated from high school and have enrolled in college.

SB 1264 makes some important changes to the CalWORKs program. We hope you will support this bill.



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